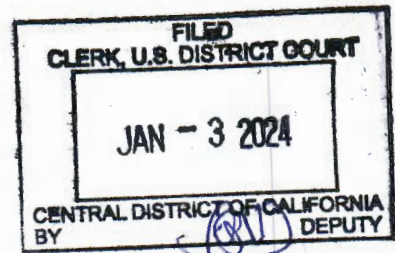


Caleb L. McGillvary, Pro Se
#1222665/SBI#102317G NJSP
PO Box 861 Trenton, NJ 08625



**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

Caleb L. McGillvary)	
PLAINTIFF)	CIVIL ACTION NO.
)	2:23-cv-01195-JLS-SK
V.)	Hon. Josephine L. Staton, USDJ
)	Hon. Steve Kim, USMJ
NETFLIX et al.)	Motion Date: To be determined
DEFENDANTS)	by the Court
)	
)	

**DECLARATION IN SUPPORT OF DISPENSE WITH SERVICE OF PLEADINGS
AND OTHER PAPERS Fed. R.Civ.P.5(c) (1)**

I, Caleb L. McGillvary ("Plaintiff"), hereby declare pursuant to 28 U.S.C. 1746 the following:

1. I am the pro se plaintiff in the above-captioned matter.
2. There are 33 Defendants named in my First Amended Complaint. All of these defendants are likely to be filing stock defensive pleadings and other papers, all are naming each other in crossclaims for contribution, all are counterclaiming against the plaintiff, and all are asserting numerous but standard affirmative defenses.
3. A marathon of pleadings and other papers, service of pleadings and other papers, responses, and service of responses would not be helpful or productive and would impose a great burden on all of the parties to this action.
4. All of the issues joined by the pleadings and other papers may be settled more economically and efficiently in a pretrial order made after the parties have had an opportunity to define the available evidence and the actual contentions that will be asserted at trial.
5. Plaintiff is a self-representing indigent litigant in State custody, and service of all documents upon him in paper format, by mail, is necessary. The U.S. Marshal has been appointed to serve all process on behalf of Plaintiff pursuant to 28 U.S.C. 1915. Defendants represented by

counsel, however, are mandatorily participating in the Case Management/Electronic Court Filing system ("CM/ECF").

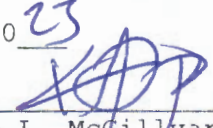
6. Each time the Clerk receives one of Plaintiff's paper filings via mail, the Clerk files Plaintiff's document into the CM/ECF system, and notice is automatically thereby sent to all CM/ECF-participating parties. This constitutes service upon each said party pursuant to L.R. 5-3.2.1.

7. For the foregoing reasons, and for all the reasons in my attached memorandum, it is in the interest of judicial economy for service by mail to be dispensed with for all parties but Plaintiff and those appearing pro se, and for an order that service upon CM/ECF-participant parties be effected by the Clerk electronically pursuant to L.R. 5-3.2.1.

8. Plaintiff also requests that the Court Order that the Clerk and/or U.S. Marshal will, as required by Rule 5(c)(2) and 28 U.S.C. 1915(d), promptly serve a copy of any order made by the court on all of the other parties to this action. The Clerk and/or U.S. Marshal will serve a copy of this order on all parties by mail to the offices of the respective attorneys of record unless this court finds that some other form of notice should be given.

I declare under penalty of perjury that the foregoing statements are true and accurate.

Executed this 18th day of DECEMBER, 2023


Caleb L. McGilvary, Pro Se
#1222665/SBI#102317G NJSP
PO Box 861, Trenton, NJ 08625

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Caleb L. McGillvary, Pro Se
#1222665/SBI#102317G NJSP
PO Box 861 Trenton, NJ 08625

DECEMBER 18, 2023


Clerk, US Dist. Ct. - CDCA
US Courthouse
255 E. Temple St., Rm 180
Los Angeles, CA 90012

RE: McGillvary v. Netflix et al
Civil Action No. 2:23-cv-01195-JLS-SK
Hon. Josephine L. Staton, U.S.D.J.
Hon. Steve Kim, U.S.M.J.

Dear Clerk;

Please find enclosed and file onto the docket the original of my
MOTION TO DISPENSE WITH SERVICE OF PLEADINGS AND OTHER PAPERS Fed.
R.Civ.P.5(c)(1, and notice, declaration, and proposed order in support
thereof, and proof of service thereof; in the above-captioned matter.

Kind Regards,


Caleb L. McGillvary
In Propria Persona

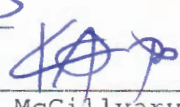
ENCL:
CC: FILE

PROOF OF SERVICE

I, Caleb L. McGillvary, declare pursuant to 28 U.S.C. 1746 that on today's date, I placed in the institutional mailing system here where I'm incarcerated at NJ State Prison 3rd & Federal Streets Trenton, NJ 08625; with First Class Postage prepaid to be sent via USPS Mail; the original of my MOTION TO DISPENSE WITH SERVICE OF PLEADINGS AND OTHER PAPERS Fed. R.Civ.P.5(c)(1, and notice, declaration, and proposed order in support thereof to the Clerk of the District Court at USDC-CDCA US Courthouse 255 E. Temple St. Rm 180 Los Angeles, CA 90012 for filing; and no defendant has yet appeared in this case to my knowledge and belief for service, or at least I have not yet received notice thereof so believe in good faith, I hereby invoke the prison mailbox rule.

I declare under penalty of perjury that the foregoing statements made by me are true and accurate.

Executed this 18th Day of DECEMBER, 2023

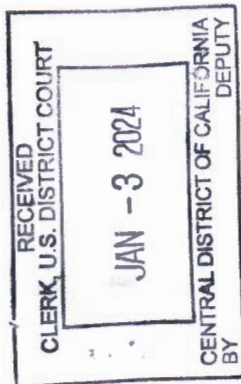

Caleb L. McGillvary, Pro Se
#1222665/SBI#102317G NJSP
PO Box 861 Trenton, NJ
08625-0861

C MCGILLVART
#122665/SB1#1025176
NJ52 P2 Box 861
TRENTON, NJ
08625

BALE
FED

CLERK
U.S.D.C. - C.D. CA.
U.S. COURTHOUSE
ROOM 180
255 E. TEMPLE ST.
LOS ANGELES, CA

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FEDERAL JUDGE
JAN 03 2024

LEGAL MAIL